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Despite CAN TV's Objections, Chicago Finance Committee Passes Revised CAN TV Ordinance

By Mitchell Szczepanczyk
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At a March 16 public meeting, the City of Chicago Committee on Finance approved the Stone/Burke ordinance, which ostensibly sought to help fund CAN TV, Chicago's fleet of public access cable TV channels — but not before some recent controversial changes were added to the ordinance which were publicly objected to by CAN TV.

The key issue involved with the ordinance concerns money from a state video franchise agreement, which would allot a 1% funding stream for PEG (public, educational, and government cable channels) in Illinois to CAN TV. A previous version of the Stone / Burke ordinance (named for 50th Ward Alderman Bernard Stone and 14th Ward Alderman and Finance chair Edward Burke) had included this provision until last week. But CAN TV sent out a dispatch on Friday, March 13, noting that the ordinance had changed and that, according to the dispatch, the changes were "harmful to the future stability of CAN TV".

The dispatch listed a number of objections to the revised Stone/Burke ordinance: "The ordinance provides no adequate funding solution for CAN TV. The 1% PEG fee from all state holders except for AT&T will go to the City. Current funding support from [current cable providers] Comcast, RCN and WideOpenWest will go to the City should those companies opt into state franchises."

Alderman Stone, a longtime CAN TV supporter, argued on behalf of the revised ordinance, claiming that the revisions would actually help provide funding for CAN TV by holding new-cable-TV-provider AT&T to the 1% state funding requirement.

CAN TV Executive Director Barbara Popovic testified in response, arguing that the ordinance only holds AT&T into account, but does nothing should incumbent cable providers opt for statewide cable franchises, as they now can under the recent state franchise law. Thus, the current fight over state funds could well be repeated with every possible new state franchisee. Moreover, CAN TV is still left with the chronic problem of a decreased budget amid rising cable fees and increases in cable subscribers, which the revised Stone/Burke ordinance did not address.

The objections by CAN TV were echoed by some of the nearly twenty CAN TV producers and supporters who testified at the meeting in support of CAN TV, among the dozens of CAN TV supporters who attended the hearing.

Dave Kraft, a CAN TV supporter among those who testified, said the versions of the Stone / Burke ordinance under consideration by the Council went from good to fair to inadequate by only assuring that one state holder pays CAN TV the 1% PEG fee.

The revised Stone/Burke ordinance directs payments of any new state franchisees, including cable companies that switch from the city to the state franchise, to the Commissioner of Business Affairs and Consumer Protections.

Popovic expressed the concerns of supporters in her testimony: "In the enabling legislation, the City Council directed CAN TV not to permit 'direct or indirect governmental interference with or control of program content.' If the majority of the PEG funds flow to the City, rather than to CAN TV, then CAN TV’s ability to fulfill its mission as an independent nonprofit as originally envisioned will be compromised."

Despite the objections, a voice vote was held casting approval for the revised Stone/Burke ordinance. The voice vote came at the end of the five-and-a-half-hour-long committee meeting, amid a nearly empty City Council Chambers room.

No representatives from AT&T were present at the March 16 hearing.